



61

AF 1646

Docket No. 01997.033300
Date: March 23, 2004

PETITION FOR EXTENSION OF TIME AND
NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: JAMES W. BAUMGARTNER ET AL.

Application No.: 08/815,773

For: TESTIS-SPECIFIC RECEPTOR

Filed: March 12, 1997

Group Art Unit: 1646

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants' hereby appeal to the Board of Patent Appeals and Interferences from the decision dated September 24, 2003 of the Primary Examiner finally rejecting Claims 33-38.

The items checked below are appropriate.

1. ☒ Applicants petition the Commissioner for Patents to extend the time for responding to the Office Action dated September 24, 2003, by three months, to March 24, 2004. Submitted herewith is a check for the \$950.00 extension fee under 37 C.F.R. §1.17.

2. ☐ A Petition for an additional ____ month extension of time to take further action, together with the \$____ extension fee under 37 C.F.R. §1.17, was filed on ____.

3. ☒ Fee \$330.00

☐ Fee \$165.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)

☒ Enclosed

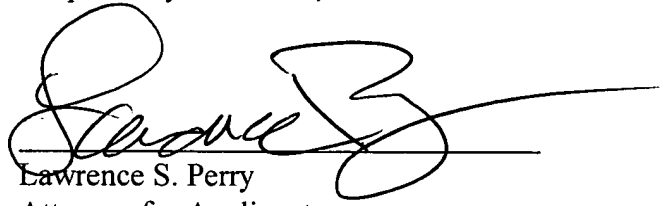
☐ Not required (fee paid in prior appeal)

☐ Charge to Deposit Account No. 06-1205 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205.

5. ☒ Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should be directed to the address given below.

Respectfully submitted,


Lawrence S. Perry
Attorney for Applicants

Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 416898v1